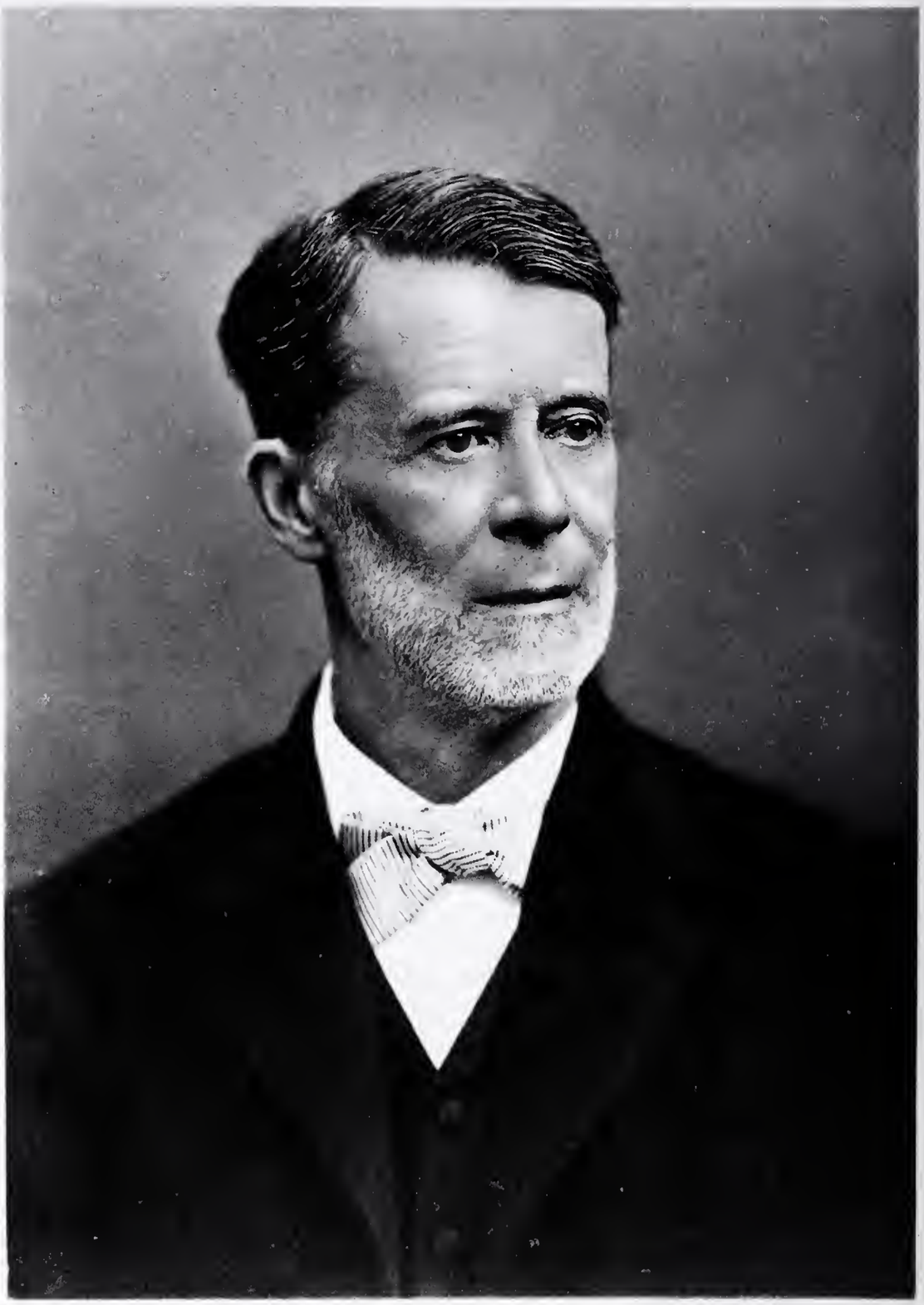

Memorial

HON. JOHN WIGGINS SIMONTON, LL.D.,

THIRD PRESIDENT.

1902-1903.

BY THE HON. ROBERT SNODGRASS.

Within less than a decade the Historical Society of Dauphin County has been called upon to render its last tribute of respect to three of its Presidents, who have successively presided over its deliberations. The first of these to fall was A. Boyd Hamilton, who had been actively and continuously identified with its work, from its organization until, in the full fruition of a long and honorable life, he was called to a higher sphere of activity. The second was Dr. William H. Egle, whose zeal in historical research has been recognized not only in the Commonwealth of Pennsylvania, but throughout the United States, and who did more to collect and preserve the fragments of our local history, than, perhaps, any other citizen of Dauphin County. The third in this triumvirate of Presidents was the Hon. John W. Simonton, who, in the midst of exacting and important official duties, was constant and unremitting in his efforts to advance the interests of the Society. To place upon our records a fitting memorial of his life and services, is the duty which has devolved on me at this time.

Judge Simonton was born in West Hanover Township, Dauphin County, on December 2, 1826. His ancestors, who were, on both sides, of Scotch-Irish extraction, emigrated to America from the north of Ireland, some time during the first half of the eighteenth century. His paternal grandfather was William Simonton, a phy-

sician, who settled in Dauphin County about 1777, where he purchased a tract of land in West Hanover Township, called "Antiqua," and established a home there in 1784. He had, in the meantime, married Jane Wiggins, a daughter of John Wiggins, a Scotch-Irishman who had come to this country about 1732. The third son of this union was Dr. William Simonton, the father of Judge Simonton, who for many years was a prominent physician in the eastern end of Dauphin County. He also represented the Counties of Dauphin and Lebanon in the Twenty-sixth and in the Twenty-seventh Congress of the United States. He died at the homestead in West Hanover Township, on May 17, 1846.

The ancestors of Judge Simonton on his mother's side were also of Scotch-Irish origin. His mother was Martha Snodgrass, the second daughter of Rev. James Snodgrass, who settled in Dauphin County in 1787, when he became the pastor of the Hanover Presbyterian Church in East Hanover Township, where his pastorate continued for upwards of fifty-eight years.

The progenitor of that branch of the Snodgrass family to which Judge Simonton belonged, came to America from the north of Ireland about 1700, and settled in what is now Bucks County. The Rev. James Snodgrass was the second son of Benjamin Snodgrass II. He died at an advanced age at the parsonage, near the old Hanover Church, on July 2, 1846.

This brief sketch of Judge Simonton's ancestry will serve to show the stock from which he came, and the environment within which his character was formed and developed. The lines upon which his early life was thus cast, were not those of luxury and ease, but rather of that strenuous type which characterized the early Scotch-Irish settlers. He was, at this time, constantly within the influence of the church and schools, which followed these enterprising and adventurous pioneers, wherever they established their settlements. He thus became, in the formative period of life, imbued with the principles of Presbyterianism of the old school, and the impressions which were then made and carried into his mature life, will account for

much, which, to those who were not within the inner circle of his friendship, seemed to savor of coldness and austerity.

Although his youth was spent upon a farm, he was not a "farmer's boy" in the ordinary sense. Still he was not ignorant of the work incident to good husbandry, and for some years not only did his share of the labor required, but assisted in the management of the farm. His father, however, realizing the advantages of a liberal education, sent him to Strasburg Academy, Lancaster County, and subsequently to Lafayette College, where he remained two years, and afterwards to Princeton, where he graduated in 1850.

After teaching for one year at Mount Joy, Lancaster County, he was admitted to the Bar of Dauphin County on April 26, 1853. From that time, with the exception of two years, at St. Paul, Minnesota, he was continuously engaged in the practice of the law in Harrisburg until the Fall of 1881, when he was elected Additional Law Judge of the Twelfth Judicial District of Pennsylvania, and commissioned as such on December 8, 1881. Upon the retirement of Judge R. M. Henderson, he was commissioned as President Judge on February 8, 1882, and thereafter until his death, was the guiding hand of the Dauphin County Courts. He held no other office, except that of District Attorney and that for one term only, beginning in 1866.

Notwithstanding the exactions of judicial service, Judge Simonton found time to interest himself in other matters. Besides the official position which he filled in this Society, he was also President of the Harrisburg Public Library Association, and was at all times earnest and zealous in advancing its interests. He was a member and the first President of the Pennsylvania Bar Association, and contributed materially to its success. Whilst not the author of any extended work, either legal or otherwise, he prepared a number of papers, principally on legal subjects, which are models of composition, as well as monuments of learning with respect to the matters treated of. Among these productions, his paper on "Pennsylvania Jurisprudence," read before the Pennsylvania Bar Association at its annual

meeting in 1895, and his discussion of Municipal Law, read before the Dauphin County Bar Association in 1899, are notable examples. In all such matters, his treatment of the subject in hand was both original and exhaustive, and the compilation of these papers in permanent form would be of great service to the Bar throughout the Commonwealth.

As a public officer, he was pre-eminently conspicuous in the discharge of his whole duty to the public as well as to the citizen. As District Attorney, he was unswerving in prosecuting criminals, whose guilt was apparent, whilst he was always ready to use his official influence to ameliorate the punishment of those whom he believed to be more sinned against than sinning.

But it was as President Judge of the Courts of Dauphin County that his record is the most conspicuous. Possessed of unusual judicial qualifications, he was able to administer the business of the Courts with rare expedition and without conflict or jar with either counsel or clients. He, at all times, held the scales of justice in such equipoise that his judgments were rarely criticised even by those against whom they were rendered. As a school of practice for the attorneys who appeared before him, his Court was exceptionally instructive. He had the faculty of almost intuitively grasping the salient points of a case, and by confining counsel to them, as far as possible, he was constantly enforcing a lesson, which, from an educational standpoint, was invaluable to the members of the Bar who practiced in his Court. Judge Simonton's influence in this regard will only be fully appreciated when the Dauphin County Bar has realized what it has lost in his death.

Whilst he was more or less conspicuous in other matters, it is upon his record as a jurist that his reputation will rest. In many respects he was an ideal judge. Patient and considerate, at all times, he was still able to dispatch the business of his Court without friction and with a celerity which, to those unfamiliar with his methods, was surprising. His constant aim was to be right, and when he had reached his conclusions, he concerned himself but little as to whether his

judgment would be approved by a superior judicial tribunal or not. Notably in State revenue cases, he was an authority throughout the Commonwealth. Some of his most important decisions in such matters, whilst not affirmed by the Supreme Court of the State, were approved by the Supreme Court of the United States. No higher compliment could be paid to any judge in this country than is implied in such a result. Taking him all in all, when time shall have settled the place to which he is entitled, he will rank with the ablest and the best who have adorned the Bench and the Bar in his time.

It was not, however, alone in the field of law that his intellectual vigor was conspicuous. His reading and studies were of the most varied and comprehensive character. In art, in science and in literature, he was always abreast of the times, so that whatever may have been the subject of discussion or the topic of conversation, what he had to say was always instructive and interesting.

He had but few intimate associates. He mingled but little with the world in the ordinary sense, and yet from his experience in professional and official life, he was not ignorant of the things which were daily occurring around him. His private and home life were of the highest type, and in all his well-rounded life, covering a period of seventy-six years, it would be hard to find a place for criticism, from the standpoint of character and right-living. As was said by one of his friends: "He was not a man whom superficial acquaintance could understand. The kindness, the unselfishness of his heart were facts which took very quiet and undemonstrative forms, but they were constant, and nothing could have grieved him more than giving them publicity. He illustrated the divine requirement 'to do good and to communicate forget not, for with such sacrifices, God is well pleased.'"

In a brief sketch like this, it is difficult to do justice to such a character as Judge Simonton. Whilst those who knew him intimately, appreciated his worth, others less fortunate who knew him only as the lawyer and the Judge, were without adequate opportunity to form a correct judgment, so that time alone can assign to him a proper place

among his fellows, and in the community in which he lived. Still, the brief record which we have endeavored to make of his life and character will, we trust, avail something "to keep his memory green," at least among the members of this Society, and so emphasize and perpetuate for all of us the example which is afforded us through his honorable, instructive and useful life.

For the action of the Society upon the death of President Simonton, see page 130.